

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

LAVANTE CARTER

v.

UNITED STATES OF AMERICA

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**1:23-CV-528-DH
1:21-CR-00045(2)-LY**

ORDER

Before the Court is Movant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence By a Person In Federal Custody (Dkt. 109). Having conducted an initial review of the Motion, the Court enters the following Order.

IT IS ORDERED that the Clerk serve a copy of the Motion to Vacate, Set Aside or Correct Sentence and Supplement, together with a notice of its filing, on the United States Attorney. *See* Rule 3(b), Rules Governing Section 2255 Proceedings pursuant to 28 U.S.C. § 2255.

IT IS FURTHER ORDERED that the United States Attorney, on behalf of the respondent United States of America, shall file an answer or other response to the Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence By a Person In Federal Custody within **sixty days** of the date of this order. *See id.* at Rule 4(b). Once the response has been filed, the Movant will have **twenty days** from receipt of the government's response in which to file any reply. After the reply has been filed or the time to do so has elapsed, the undersigned will determine and direct any further proceedings in this matter.

SIGNED on May 18, 2023.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE